

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 382 be amended to read as follows:

- 1 Page 19, between lines 7 and 8, begin a new paragraph and
- 2 insert:
- 3 "SECTION 25. IC 7.1-3-21-15 IS AMENDED TO READ AS
- 4 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 15. (a) The
- 5 commission shall not issue, renew, or transfer a wholesaler, retailer,
- 6 dealer, or other permit of any type if the applicant:
- 7 (1) is seeking a renewal and the applicant has not paid all the
- 8 property taxes under IC 6-1.1 **and innkeeper's tax under IC 6-**
- 9 **9** that are due currently;
- 10 (2) is seeking a transfer and the applicant has not paid all the
- 11 property taxes under IC 6-1.1 **and innkeeper's tax under IC 6-**
- 12 **9** for the assessment periods during which the transferor held
- 13 the permit; or
- 14 (3) is on the most recent tax warrant list supplied to the
- 15 commission by the department of state revenue.
- 16 (b) The commission shall issue, renew, or transfer a permit that
- 17 the commission denied under subsection (a) when the appropriate one
- 18 (1) of the following occurs:
- 19 (1) The person, if seeking a renewal, provides to the
- 20 commission a statement from the county treasurer of the county
- 21 in which the property of the applicant was assessed indicating
- 22 that all the property taxes under IC 6-1.1 **and innkeeper's tax**
- 23 **under IC 6-9** that were delinquent have been paid.
- 24 (2) The person, if seeking a transfer of ownership, provides to
- 25 the commission a statement from the county treasurer of the

1 county in which the property of the transferor was assessed
2 indicating that all the property taxes under IC 6-1.1 **and**
3 **innkeeper's tax under IC 6-9** have been paid for the
4 assessment periods during which the transferor held the permit.

5 (3) The person provides to the commission a statement from
6 the commissioner of the department of state revenue indicating
7 that the person's delinquent tax liability has been satisfied.

8 (4) The commission receives a notice from the commissioner
9 of the department of state revenue under IC 6-8.1-8-2(k).

10 (c) An applicant may not be considered delinquent in the
11 payment of listed taxes if the applicant has filed a proper protest
12 under IC 6-8.1-5-1 contesting the remittance of those taxes. The
13 applicant shall be considered delinquent in the payment of those taxes
14 if the applicant does not remit the taxes owed to the state department
15 of revenue after a final determination on the protest is made by the
16 department of state revenue.

17 (d) The commission may require that an applicant for the
18 issuance, renewal, or transfer of a wholesaler's, retailer's, or dealer's,
19 or other permit of any type furnish proof of the payment of a listed
20 tax (as defined by IC 6-8.1-1-1) or taxes imposed by IC 6-1.1. The
21 commission shall allow the applicant to certify, under the penalties
22 for perjury, that the applicant is not delinquent in filing returns or
23 remitting taxes."

24 Renumber all SECTIONS consecutively.

(Reference is to ESB 382 as printed April 1, 2005.)

Representative WHETSTONE